



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,704	08/06/2001	Tomoyoshi Sato	29898/36985	1847
4743	7590	07/29/2004	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 6300 SEARS TOWER 233 S. WACKER DRIVE CHICAGO, IL 60606				COLEMAN, ERIC
ART UNIT		PAPER NUMBER		
		2183		

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/830,704	SATO, TOMOYOSHI
	Examiner	Art Unit
	Eric Coleman	2183

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) 16-39 is/are allowed.
- 6) Claim(s) 1,3-8 and 12-15 is/are rejected.
- 7) Claim(s) 2 and 9-11 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____ . |

DETAILED ACTION***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,3-8,12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Trimberger (patent No. 6,105,105).
3. Trimberger taught (claims 1,14,15,) the invention as claimed including a data processing (“DP”) system comprising: A control program product comprising an instruction set including a first field (123) for describing an execution instruction for designating content of an operation or data processing that is executed in at least processing unit forming a data processing system, and a second field (124) for describing preparation information for setting the processing unit to a state that is ready to execute the operation or data processing that is executed according to the execution instruction (e.g., see col. 6, line 14-col. 7,line 58), the preparation information in the second field is for the operation or data processing being independent of the content of the execution instruction described in the first field of the instruction set (e.g., see figs. 1,2,3,4 and col.2, line 37-col. 3, line 63).

Art Unit: 2183

4. As per claims 3,7 Trimberger taught the preparation information including information for designating an input and/output interfaces of the processing unit in a processing block formed of plural processing units independently of execution timing of the processing unit (e.g., see col. 4, line 57-col. 5, line 58).

5. As per claim 4, Trimberger taught the preparation information for designating content of processing of the processing unit (e.g., see col. 2, line 37-col. 3 line 63).

6. As per claim 5, Trimberger taught the data processing system including a plurality of processing units, and the preparation information including information for designating a combination of data paths by processing units (e.g., see col. 5, lines 3-24).

7. As per claim 6, Trimberger taught the processing unit including a specific internal data path, and the preparation information including information for selecting a part of the internal data path (e.g., see col. 5, lines 3-24 and col. 7, lines 28-59).

8. As per claim 8, Trimberger taught the data processing system including a memory storing a plurality of configuration data defining the input and/or output interfaces in the processing block and the preparation information including information for selecting one of the plurality of configuration data stored in the memory for changing for input and /or output interfaces in the processing block (e.g., see figs. 1,2,3 and col. 5, lines 3-24).

9. As per claims 12, 13, Trimberger taught an instruction designating input/output between register or buffer and a memory is described in the second

field; the plurality of execution instructions and /or the preparation information are described in the first and /or second field (e.g., see col. 7, line 28-col. 9, line 59).

Allowable Subject Matter

10. Claims 2,9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
11. Claims 16-39 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bartkowiak (patent No. 5,771,362) disclosed a processor having a bus interconnect which is dynamically reconfigured in response to an instruction field (e.g., see abstract).

Asato (patent No. 6,145,074) disclosed a system for selecting register or previous instruction result bypass as source operand path based on bypass specifier field in succeeding instruction (e.g., see abstract).

Pechanek (patent No. 6,128,720) disclosed a distributed processing array with component processors performing customized interpretation of instructions (e.g., see abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Coleman whose telephone number is (703) 305-9674. The examiner can normally be reached on Monday-Thursday.

Art Unit: 2183

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Chan can be reached on (703) 305-9712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EC



ERIC COLEMAN
PRIMARY EXAMINER